

IN THE UNITED STATES DISTRICT COURT FOR
THE SOUTHERN DISTRICT OF GEORGIA
SAVANNAH DIVISION

FILED
U.S. DISTRICT COURT
SAVANNAH DIV.
2016 NOV -1 PM 12:06

MAYA C. CROSS, on behalf of)
herself and all others)
similarly situated,)
)
Plaintiff,)
)
v.)
)
SECURITY CREDIT SYSTEMS,)
INC.,)
)
Defendant.)

CLERK
SO. DIST. OF GA.

CASE NO. CV414-122


ORDER

Before the Court is Plaintiff's Amended Stipulation of Dismissal. (Doc. 10.) Pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(i), a plaintiff may dismiss an action by filing "a notice of dismissal before the opposing party serves either an answer or a motion for summary judgment." Normally, a class action suit such as this may be dismissed only with the Court's approval. Fed. R. Civ. P. 23(e). Although a class has not been certified in this case, "[t]he requirements of Rule 23(e) can be applied to a stipulation of dismissal in the pre-certification stage-and indeed should be so applied-to avoid collusion in the early stages of class litigation." Sikes v. Am. Tel. & Tel. Co., 841 F. Supp. 1572, 1578 n.2 (S.D. Ga. 1993). However, court approval is not required where a putative class

representative seeks to settle only individual claims. See Fed. R. Civ. P. 23(e) advisory committee's notes to 2003 amendment.

Plaintiff has informed the Court that the voluntary dismissal was intended to resolve only Plaintiff's individual claims, not any of the class claims. (Doc. 11 at 1.) Accordingly, Plaintiff's individual claims are **DISMISSED WITH PREJUDICE**. The Clerk of Court is **DIRECTED** to close this case.

SO ORDERED this 31ST day of October 2016.


WILLIAM T. MOORE, JR.
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA